

ORDINANCE NO. 2001 - 068

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE FUTURE LAND USE ATLAS (FLUA) FOR 01-81 COM 1 (LANTANA/TURNPIKE), MODIFYING PAGE 81 OF THE FLUA BY CHANGING AN APPROXIMATELY 10.15 ACRE PARCEL OF LAND, GENERALLY LOCATED ON THE NORTHWEST QUADRANT OF LANTANA ROAD AND THE RONALD REAGAN TURNPIKE, FROM LOW RESIDENTIAL, 2 UNITS PER ACRE (LR-2) TO COMMERCIAL LOW (CL) WITH CROSS-HATCHING ON THE NORTHERN 683 FEET OF THE PROPERTY, SUBJECT TO CONDITIONS; PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17; and

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

WHEREAS, the Palm Beach County Local Planning Agency conducted its public hearings on June 15, 22 and July 13, 2001 to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on August 14, 2001 to review the recommendations of the Local Planning Agency, whereupon the Board of County Commissioners authorized transmittal of proposed amendments to the Department of Community Affairs for review and comment pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, Palm Beach County received on November 5, 2001 the Department of Community Affairs "Objections, Recommendations, and Comments Report," dated November 2, 2001 which was the Department's written review of the proposed Comprehensive Plan amendments; and

1 WHEREAS, the written comments submitted by the Department of
2 Community Affairs contained no objections to the amendments contained
3 in this ordinance;

4 WHEREAS, on December 5, 2001 the Palm Beach County Board of
5 County Commissioners held a public hearing to review the written
6 comments submitted by the Department of Community Affairs and to
7 consider adoption of the amendments; and

8 WHEREAS, the Palm Beach County Board of County Commissioners has
9 determined that the amendments comply with all requirements of the
10 Local Government Comprehensive Planning and Land Development
11 Regulations Act.

12 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
13 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

14 Part I. Amendments to the Future Land Use Atlas of the Land Use
15 Element of the 1989 Comprehensive Plan

16 The following amendment to the Land Use Element's Future Land Use
17 Atlas is hereby adopted and is attached to this Ordinance:

18 A. Future Land Use Atlas page 81 is amended as follows:

19 Application No.: Lantana/Turnpike (01-81 COM 1)

20 Amendment: From Low Residential 2 (LR-2) to Commercial
21 Low (CL) with cross-hatching on the
22 northern 683 feet of the property;

23 General Location: Northwest quadrant of Lantana Road and the
24 Ronald Reagan Turnpike;

25 Size: Approximately 10.15 acres;

26 B. Conditions: This parcel is subject to the following
27 conditions:

- 28 1. The northern 683 foot cross-hatched portion of the site
29 (approximately 5.15 acres) shall be limited to drainage
30 and landscaping;
- 31 2. Uses on the southern 683 feet of the site (approximately
32 5 acres) shall be limited to self storage facilities; and
- 33 3. The building height shall be limited to one story.
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1 Part II. Repeal of Laws in Conflict

2 All local laws and ordinances applying to the unincorporated area
3 of Palm Beach County in conflict with any provision of this ordinance
4 are hereby repealed to the extent of such conflict.

5 Part III. Severability

6 If any section, paragraph, sentence, clause, phrase, or word of
7 this Ordinance is for any reason held by the Court to be
8 unconstitutional, inoperative or void, such holding shall not affect
9 the remainder of this Ordinance.

10 Part IV. Inclusion in the 1989 Comprehensive Plan

11 The provision of this Ordinance shall become and be made a part
12 of the 1989 Palm Beach County Comprehensive Plan. The Sections of the
13 Ordinance may be renumbered or relettered to accomplish such, and the
14 word "ordinance" may be changed to "section," "article," or any other
15 appropriate word.

16 Part V. Effective Date

17 The effective date of this plan amendment shall be the date a
18 final order is issued by the Department of Community Affairs or
19 Administration Commission finding the amendment in compliance in
20 accordance with Section 163.3184, Florida Statutes, whichever occurs
21 earlier. No development orders, development permits, or land uses
22 dependent on this amendment may be issued or commence before it has
23 become effective. If the Administration Commission issues a final
24 order of noncompliance, this amendment may nevertheless be made
25 effective by adoption of a resolution affirming its effective status,
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1 a copy of which resolutions shall be sent to the Department of
2 Community Affairs, Bureau of Local Planning, 2555 Shumard Oak
3 Boulevard, Tallahassee, Florida 32399-2100.

4 APPROVED AND ADOPTED by the Board of County Commissioners of
5 Palm Beach County, on the 5 day of December, 2001.

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7 ATTEST:
8 DOROTHY H. WILKEN, Clerk

PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY COMMISSIONERS

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12 Deputy Clerk

By

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14 Warren H. Newell, Chairman

15 APPROVED AS TO FORM AND LEGAL SUFFICIENCY

16
17 COUNTY ATTORNEY

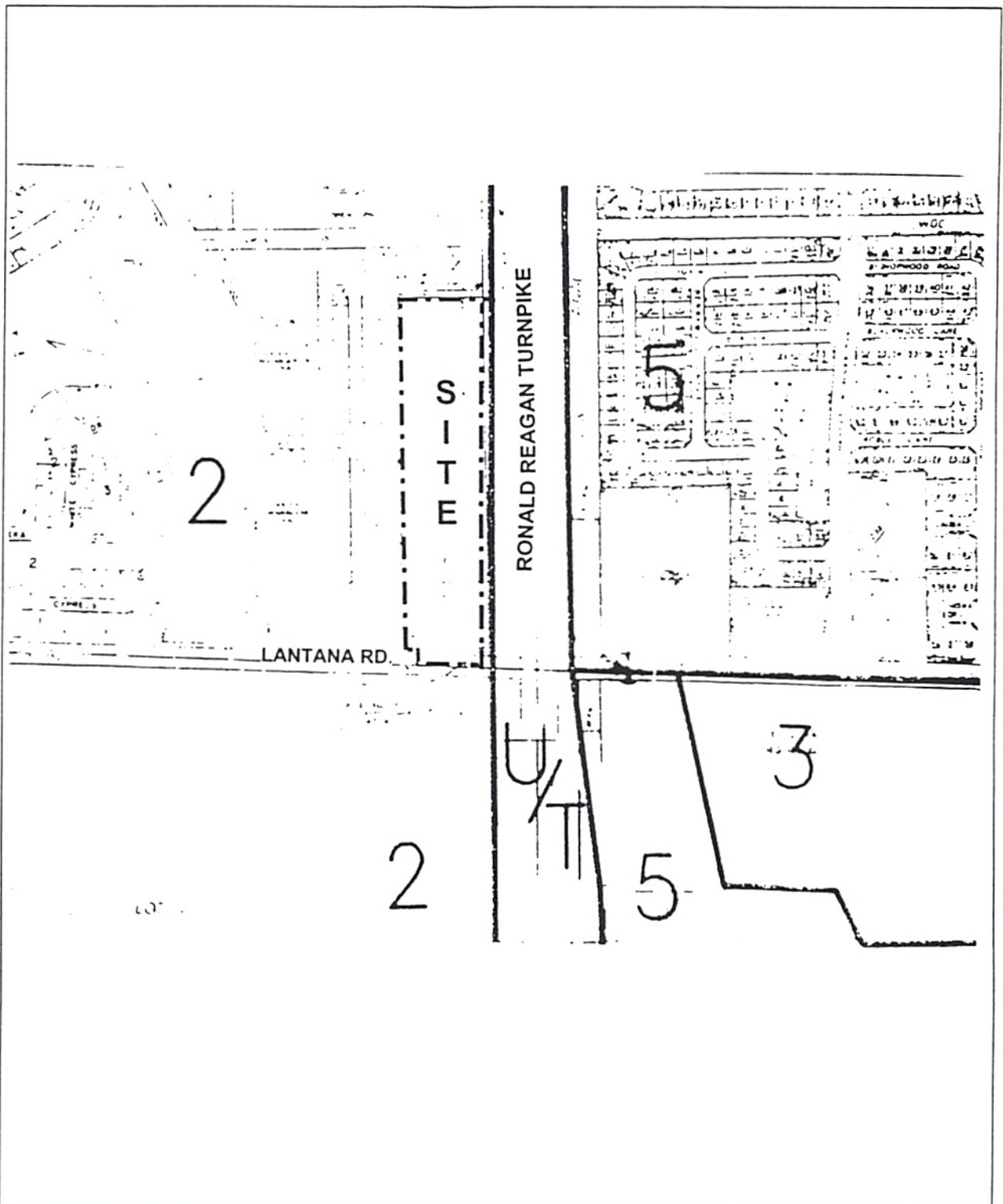
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19 Filed with the Department of State on the 14th day
20 of December, 2001.

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24 T:\PLANNING\AMEND\01-2\ADMIN\BCCADOPT\ORDINANCES\LANTANA-TURNPIKE-ORD.DOC

EXHIBIT 1

Future Land Use Atlas page 81 is amended as follows:

- Amendment No.:** 01-81 COM 1 (Lantana / Turnpike)
- Amendment:** From Low Residential, 2 units per acre (LR-2) to Commercial Low with cross-hatching on the northern 683 feet of the site.
- Location:** Northwest quadrant of Lantana Road and the Ronald Reagan Turnpike.
- Size:** Approximately 10.15 acres
- Property No.:** 00-42-43-27-05-033-0501
- Legal Description:** See attached
- Conditions:**
1. The northern 683 foot cross-hatched portion of the site (approximately 5.15 acres) shall be limited to drainage and landscaping;
 2. Uses on the southern 683 feet of the site (approximately 5 acres) shall be limited to self storage facilities; and
 3. The building height shall be limited to one story.



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LEGAL DESCRIPTION:

The South 415.80 feet of Tract 50, all of Tract 71, and that part of Tract 74, lying North of the North right-of-way line of State Road S-812, (Lantana Road), all lying and being in Block 33, The Palm Beach Farms Co. Plat No. 3, Palm Beach County, Florida, according to the plat thereof as recorded in Plat Book 2, Pages 45 through 54, inclusive, of the Public Records of Palm Beach County, Florida

LESS AND NOT INCLUDING:

That part of Tract 74, Block 33, The Palm Beach Farms Co., Plat No. 3, according to the plat thereof, as recorded in Plat Book 2, Pages 45 through 54, inclusive, of the Public Records of Palm Beach County, Florida as more particularly described as follows:

Beginning at the point of intersection of the North right-of-way line of Lantana Road (S.R. 812) and the West line of said Tract 74, thence North along the said West line of Tract 74, a distance of 120.00 feet; thence East parallel to the North line of said Tract 74, a distance of 50.0 feet; thence South parallel to the West line of said Tract 74, to the said North right-of-way line of Lantana Road (S.R. 812); thence West along said North right-of-way line of Lantana Road (S.R. 812) to the Point of Beginning

FURTHER LESS AND NOT INCLUDING A PARCEL CONVEYED TO PALM BEACH COUNTY FOR ROAD RIGHT OF WAY, KNOWN AS PARCEL 111:

A portion of Tract 74, Block 33, PALM BEACH FARMS COMPANY PLAT NO. 3, according to the Plat thereof, as recorded in Plat Book 2, at Page 45 of the Public Records of Palm Beach County, Florida, in Section 32, Township 44 South, Range 42 East, and being more particularly described as follows:

Commencing at the Southeast corner of the Southeast one-quarter (S.E. 1/4) of said Section 32; thence along the South Line of said Southeast one-quarter (S.E. 1/4), North 88°27'50" west for a distance of 522.25 feet; thence north 01°32'10" east for a distance of 40.00 feet to the point of intersection of the north right-of-way line of Lantana Road (also known as County Road No. 812) as recorded in the Road Plat Book 2, at Page 27, of the Public Records of Pam Beach County, Florida, and the east line of said Tract 74, said point of intersection also being the point of beginning; thence along said north right-of-way line, north 88°27'50" west for a distance of 281.74 feet; thence north 01°02'32" west for a distance of 15.02 feet; thence south 88°27'50" east for a distance of 281.75 feet to said east line of Tract 74; thence along said east line, south 01°00'57" east for a distance of 15.01 feet to the point of beginning.

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on December 5, 2001
DATED at West Palm Beach, FL on 12/31/01
DOROTHY H. WILKEN, Clerk
By: Melanie Brown D.C.